

1 David J. Feldman, Esq.  
Nevada Bar No. 5947  
2 THE FELDMAN FIRM  
8831 West Sahara Avenue  
3 Las Vegas, Nevada 89117  
Telephone: (702) 949-5096  
4 Facsimile: (702) 949-5097  
dfeldman@feldmangraf.com  
5 *Attorneys for Defendant Mid-Century Insurance*  
*Company*  
6

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 JOHN FRANCIS, and individual,

10 Plaintiff,

11 vs.

12 MID-CENTURY INSURANCE COMPANY:  
13 ROE CORPORATIONS I through X,  
inclusive,

14 Defendants.  
15 \_\_\_\_\_

) Case No.: 2:18-cv-00344  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**STIPULATION AND ORDER TO**  
**EXTEND DISCOVERY**  
**DEADLINES**  
**(FIRST REQUEST)**

16 Pursuant to Local Rules 6-1 and 26-4, the parties, by and through their respective counsel  
17 of record, hereby stipulate to and request that the Court extend the initial expert disclosure, interim  
18 status report, rebuttal expert disclosure, discovery cut-off, dispositive motion and Pretrial Order  
19 deadlines by sixty (60) days. The parties request this extension for the following reasons:

20 The Petition for Removal was filed on February 23, 2018 (ECF No. 1). On April 13, 2018,  
21 a discovery plan was approved by the Court (ECF No. 9).

22 The current discovery plan contemplates the exchange of expert witness reports on June  
23 22, 2018, the exchange of rebuttal witness reports on July 23, 2018, a discovery cut-off of August  
24 22, 2018, and a dispositive motions deadline of September 21, 2018.

25 **1. DISCOVERY COMPLETED:**

26 Both parties have made their initial disclosures pursuant to FRCP 26. Defendant is in the  
27 process of setting Plaintiff's deposition.  
28 . . .

1       **2.       DISCOVERY THAT REMAINS TO BE COMPLETED:**

2               Defendant is retaining a physician to conduct a medical records review of Plaintiff, and  
3       it is anticipated that upon completion of Plaintiff's deposition, depositions will be taken of  
4       Plaintiff's treating physicians, as well as any designated expert(s) and rebuttal expert(s).

5               Plaintiffs will set depositions of claims employees, and Plaintiffs intend to take depositions  
6       of Defendant's expert(s).

7       **3.       REASONS WHY DISCOVERY HAS NOT BEEN COMPLETED AND WHY**  
8       **INITIAL EXPERT AND REBUTTAL EXPERT DISCLOSURES AND RELATED**  
9       **DEADLINES SHOULD BE EXTENDED.**

10              The parties are still in the discovery process. Plaintiff is still receiving medical treatment,  
11       and Defendant is still gathering records. Once all records are gathered, Defendant's medical  
12       expert will need additional time to review them. An extension of the initial expert disclosure  
13       deadline to August 23, 2018 is requested to allow Defendant to have Plaintiff's medical records  
14       reviewed and the physician to provide his reports.

15              In addition, additional time will allow the parties to explore the possibility of settling this  
16       matter, without incurring additional expert expenses, if the same can be avoided, or subjecting the  
17       parties to any prejudice if settlement cannot be obtained. Counsel are in agreement that  
18       modification of all pending dates in the discovery plan is the most reasonable option. Accordingly,  
19       the parties have agreed to extend the deadlines to exchange expert reports, both initial and rebuttal,  
20       by sixty (60) days and to extend all of the related discovery deadlines in this case, as set forth  
21       below:

22       **4.       PROPOSED SCHEDULE FOR COMPLETING DISCOVERY:**

23              The parties have agreed to the following modified deadlines:

- 24                   **A.       Initial expert disclosure date: August 23, 2018** (formerly June 22, 2018).  
25                   **B.       Interim status report date: August 23, 2018** (formerly June 22, 2018).  
26                   **C.       Rebuttal expert disclosure date: September 21, 2018** (formerly July 23,  
27                               2018).  
28                   **D.       Discovery cut-off date: October 22, 2018** (formerly August 22, 2018).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

E.     **Date for filing dispositive motions: November 21, 2018** (formerly September 21, 2018).

F.     **Date for filing Pretrial Order: December 21, 2018** (formerly October 29, 2018).

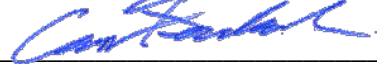
(with date to change if dispositive motions filed).

THEREFORE, the parties stipulate and request that the Court enter an Order approving the proposed discovery schedule set forth above.

**IT IS SO STIPULATED.**

Dated: <u>5/31/2018</u>	Dated: <u>5/31/2018</u>
<u>/s/ David Feldman</u>	<u>/s/ Daniel Dastrup</u>
David J. Feldman, Esq.	Roger M. Cram, Esq.
Nevada Bar No. 5947	Nevada Bar No.: 006612
THE FELDMAN FIRM	Daniel Dastrup, Esq.
8831 West Sahara Avenue	NV Bar #: 13677
Las Vegas, Nevada 89117	CRAM VALDEZ BRIGMAN & NELSON
Telephone: (702) 949-5096	2451 S. Buffalo Dr., #120
Facsimile: (702) 949-5097	Las Vegas, Nevada 89117
dfeldman@feldmangraf.com	Telephone: (702) 255-0700
<i>Attorneys for Defendant Mid-Century</i>	Facsimile: (702) 255-2159
<i>Insurance Company</i>	<a href="mailto:rcram@cvbnlaw.com">rcram@cvbnlaw.com</a>
	<i>Attorneys for Plaintiff John Francis</i>

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Cam Ferenbach  
United States Magistrate Judge  
  
DATED: June 1, 2018